

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JOSE ALFONSO RUIZ,

Plaintiff,

v.

SUPERIOR COURT OF CALIFORNIA, et
al.,

Defendants.

Case No. 1:20-cv-00179-JLT (PC)

**ORDER DIRECTING CLERK OF
COURT TO ASSIGN DISTRICT JUDGE;
AND**

**FINDINGS AND RECOMMENDATIONS
TO DISMISS COMPLAINT WITH
LEAVE TO AMEND**

(Doc. 1)

FOURTEEN-DAY DEADLINE

On July 30, 2020, the Court screened plaintiff's complaint and found it to be devoid of a cognizable claim. (Doc. 8.) Plaintiff was then directed to file either a first amended complaint curing the deficiencies identified by the Court in the order, a notice of voluntary dismissal, or a notice of election to stand on the complaint. After several requests for extension of time, Plaintiff has now filed a response indicating his intent to stand on the complaint. (Doc. 10.) Accordingly, the Court

ORDERS:

1. The Clerk of Court to assign a district judge to this case; and
2. The Court **RECOMMENDS** that the complaint be dismissed with leave to amend.

These Findings and Recommendations will be submitted to the United States District Judge assigned to the case, pursuant to the provisions of Title 28 U.S.C. § 636(b)(1). Within fourteen days after being served with these Findings and Recommendations, the parties may file written objections

1 with the Court. The document should be captioned “Objections to Magistrate Judge’s Findings and
2 Recommendations.” The parties are advised that failure to file objections within the specified time
3 may result in the waiver of rights on appeal. Wilkerson v. Wheeler, 772 F.3d 834, 839 (9th Cir.
4 2014) (citing Baxter v. Sullivan, 923 F.2d 1391, 1394 (9th Cir. 1991)).

5
6 IT IS SO ORDERED.

7 Dated: December 4, 2020

/s/ Jennifer L. Thurston
UNITED STATES MAGISTRATE JUDGE